APPENDIX.

Appendix "A."

An Act to amend section 101 of the Judicial Code as amended:

Section 1. The State of Oklahoma is divided into three judicial districts, to be known as the Northern, the Eastern and the Western Districts of Oklahoma. The territory embraced on January 1, 1925, in the Counties of Craig, Creek, Delaware, Mayes, Nowata, Okfuskee, Osage, Ottawa, Pawnee, Rogers, Tulsa and Washington, as they existed on said date, shall constitute the Northern District of Oklahoma. Terms of the United States District Court for the Northern District of Oklahoma shall be held at Tulsa on the first Monday in January, at Vinita on the first Monday in March, at Pawhuska on the first Monday in May, and at Bartlesville on the first Monday in June in each year; *Provided*, that suitable rooms and accommodations for holding court at Pawhuska and Bartlesville are furnished free of expense to the United States. The Eastern District of Oklahoma shall include the territory embraced on the 1st day of January, 1925, in the counties of Adair, Atoka, Bryan, Cherokee, Choctaw, Coal, Carter, Garvin, Grady, Haskell, Hughes, Johnson, Jefferson, Latimer, Le Flore, Love, McClain, Muskogee, McIntosh, McCurtain, Murray, Marshall, Okmulgee, Pittsburg, Pushmataha, Pontotoc, Seminole, Stephens, Sequoyah and Wagoner. Terms of the District Court for the Eastern District shall be held at Muskogee on the first Monday in January, at Ada on the first Monday in March, at Okmulgee on the first Monday in April,

at Hugo on the second Monday in May, at South McAlester on the first Monday in June, at Ardmore on the first Monday in October, at Chickasha on the first Monday in November, at Poteau on the first Monday in December in each year, and annually at Pauls Valley at such times as may be fixed by the judge of the Eastern District: *Provided*, that suitable rooms and accommodations for holding said court at Hugo, Poteau, Ada, Okmulgee and Pauls Valley are furnished free of expense to the United States. The Western District of Oklahoma shall include the territory embraced on the 1st day of January, 1925, in the counties of Alfalfa, Beaver, Beckham, Blaine, Caddo, Canadian, Cimarron, Cleveland, Comanche, Cotton, Custer, Dewey, Ellis, Garfield, Grant, Greer, Harmon, Harper, Jackson, Kay, Kingfisher, Kiowa, Lincoln, Logan, Major, Noble, Oklahoma, Payne, Pottawatomie, Roger Mills, Texas, Tillman, Washita, Woods and Woodward. The terms of the District Court for the Western District shall be held at Guthrie on the first Monday in January, at Oklahoma City on the first Monday in March, at Mangum on the first Monday in April, at Enid on the first Monday in June, at Lawton on the first Monday in September, and at Woodward on the first Monday in November in each year: *Provided*, that suitable rooms and accommodations for holding court at Mangum and Woodward are furnished free of expense to the United States. The clerk of the District Court for the Northern District shall keep his office at Tulsa, the clerk of the District Court for the Eastern District shall keep his office at Muskogee and shall maintain an office in charge of a deputy at Ardmore, the clerk for the Western District shall keep his office at Guthrie and shall maintain an office in charge of himself or his deputy at Oklahoma City.

Section 2. The present senior judge of the Eastern District of Oklahoma be, and he is hereby, assigned to hold said court in the said Eastern District, and shall exercise the same jurisdiction and perform the same duties within the said district as he exercised and performed within his district prior to the passage of this Act. That the present judge of the Western District of Oklahoma be, and he is hereby, assigned to hold said court in the Western District of Oklahoma, and shall exercise the same jurisdiction and perform the same duties as he exercised and performed within his district prior to the passage of this Act. That the present junior judge of the Eastern District of Oklahoma be, and he is hereby, assigned to hold said court in the said Northern District, and shall exercise the same jurisdiction and perform the same duties within the said district as he exercised and performed within his district prior to the passage of this Act. Each of said judges and courts shall in other respects have all the power and authority, civil, criminal, equitable or otherwise, which is conferred by law generally upon the District Courts of the United States and the judges thereof.

Section 3. The president, by and with the advice and consent of the senate, shall appoint for said Northern District of Oklahoma a district judge upon the death, disability or retirement of the district judge who is hereby assigned to said Northern District.

Section 4. The president, by and with the advice and consent of the senate, shall appoint for said Northern District of Oklahoma a marshal and a district attorney. A clerk and deputy clerks shall be appointed and may be removed in the manner provided by law.

Section 5. The jurisdiction and authority of the courts and officers of the Western District of Oklahoma, and of the courts and officers of the Eastern District of Oklahoma as heretofore divided between them by the order of the senior judge of the Circuit Court of Appeals for the Eighth Circuit of the United States over the territory embraced within said Northern District of Oklahoma shall continue as heretofore until the organization of the District Court of said Northern District, and thereupon shall cease and determine, save and except insofar as the authority of the junior judge of said Eastern District is continued in him as judge of said Northern District, and save and except as to the authority expressly conferred by law on said courts, judges or officers, or any of them, to commence and proceed with the prosecution of crimes and offenses committed therein prior to the establishment of the said Northern District, and save and except as to any other authority expressly reserved to them or any of them under any law applicable in the case of the creation or change of the divisions or districts of District Courts of the United States.

Section 6. Any party to any civil action, suit or proceeding, including proceedings in bankruptcy, which is pending in the said Eastern or Western District and the prescribed venue of which would have been in said Northern District had such district been constituted at the time such action, suit or proceeding was instituted, may, by filing notice of such desire in the office of the clerk of such Eastern or Western District as the case may be, cause such action, suit or proceedings to be transferred to said Northern District, and upon the filing of such notice the cause shall proceed in the said Northern District as though orig-

inally brought therein. The clerk in whose office such notice may be filed shall forthwith transmit all the papers and documents in his court pertaining to such cause to the clerk of said Northern District and he shall also, with all reasonable dispatch, prepare and transmit to such last-named clerk, a certified transcript of the record of all orders, interlocutory decrees or other entries in such cause, with his certificate under the seal of the court that the papers sent are all that were on file in said court belonging to the cause. For the performance of his duties under this section the clerk so transmitting and certifying such papers and records shall receive the same fees as are now allowed by law for similar services to be taxed in the bill of costs and regularly collected with the other costs in the cause; and such transcript, when so certified and received, shall henceforth constitute a part of the record in the cause in the court to which the transfer shall be made. With such transcript shall be remitted all deposits in the hands of the clerk to the credit or account of such cause. The clerk receiving such transcript and original papers shall file the same. In case the permissible prescribed venue of any such action, suit or proceeding would, at the option of the plaintiff, have been in either the said Eastern District or in the said Western District, though the said Northern District had then been constituted, then such suit, action, or proceeding shall not be removed to said Northern District except upon consent of all of the parties thereto which consent shall be filed with the clerk in lieu of the notice of transfer above specified and shall have the same effect.

Approved February 16 1925.

Appendix "B."

Division Order of Judge Sanborn of July 23, 1924.

In the United States District Court of the Eastern District of Oklahoma. In the Matter of the Division of Business and the Assignment of Cases for Trial in This District.

Whereas, Honorable R. L. Williams and Honorable F. E. Kennamer, the United States District Judges for this district do not agree upon the division of business and the assignment of cases for trial in this district and have submitted to the undersigned, as the Senior United States Circuit Judge of the Eighth Judicial Circuit, the question of such division:

It is hereby ordered, pursuant to the provisions of section 23 of the Judicial Code, U. S. Compiled Statutes, Compact edition, Sec. 990, that, for the purpose of dividing the judicial business, powers and duties of the judges of this district, the district is divided into two divisions, called the First Divison and the Second Division.

The First Division includes the counties of Nowata, Craig, Ottawa, Mayes and Delaware, the judicial business from which is tributary to this court at Vinita; the counties of Wagoner, Cherokee, Adair, Okmulgee, Muskogee, Sequoyah, McIntosh and Haskell, the judicial business from which is tributary to this court at Muskogee; the counties of Hughes, Pittsburg, Latimer, LeFlore and Atoka, the judicial business from which is tributary to this court at McAlester; and the counties of Choctaw, Pushmataha and McCurtain, the judicial business from which is tributary to this court at Hugo.

The Second Division includes the counties of Washington, Rogers, Creek and Tulsa, the judicial business from which is tributary to this court at Tulsa; the counties of Okfuskee, Seminole, Pontotoc, Coal and Johnson, the judicial business from which is tributary to this court at Ada; the counties of Garvin, Murray, Carter, Love, Marshall and Bryan, the judicial business from which is tributary to this court at Ardmore, and the counties of McLain, Grady, Stephens and Jefferson, the judicial business from which is tributary to this court at Chickasha.

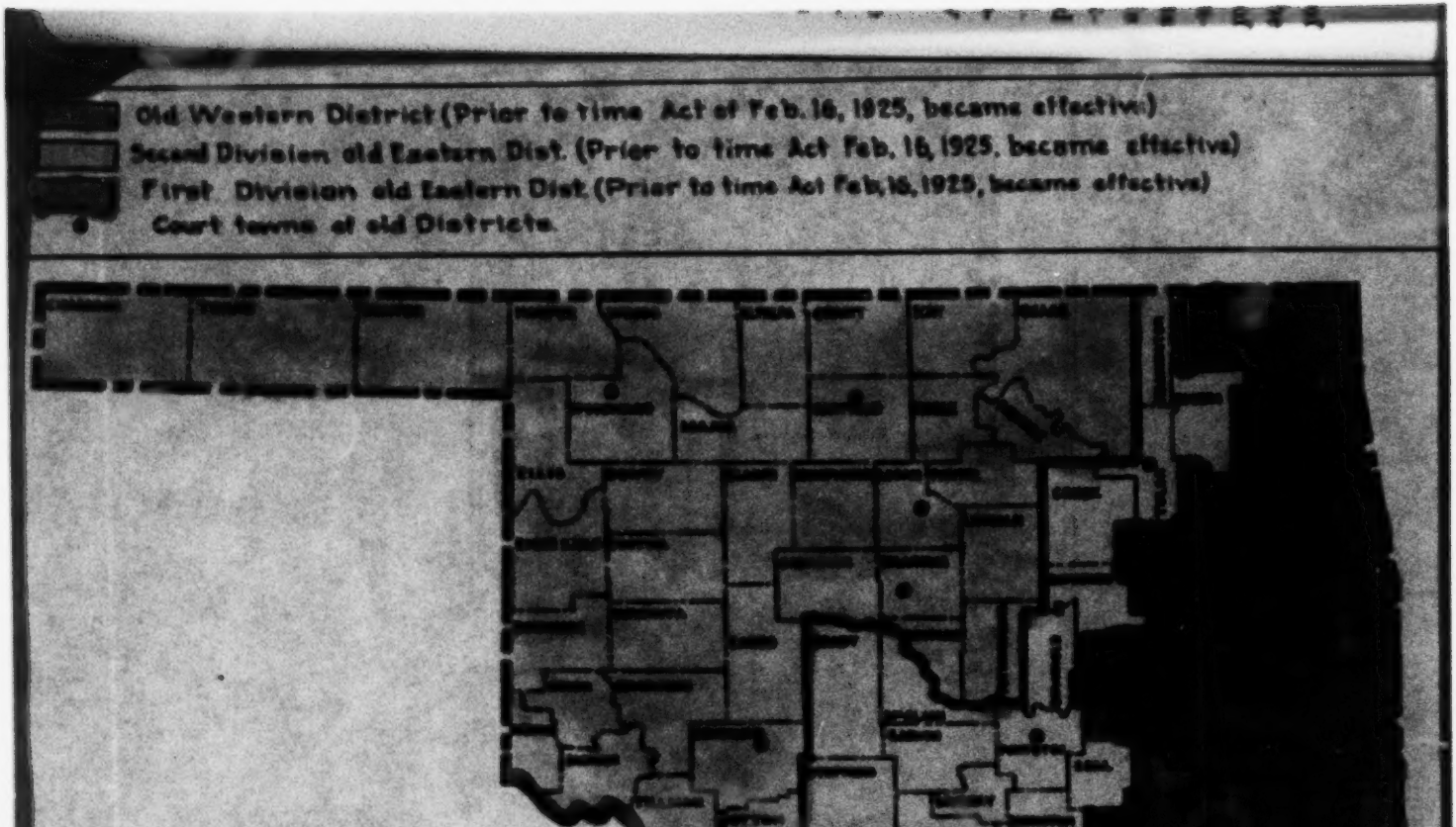
It is further ordered, that all the judicial business of this court, and of the judges thereof as such, now pending, except as to questions or issues which have been submitted to one of the judges for decision, and all the judicial business that shall arise in or come from the territory in the First Division on and after the date of this order be, and it is hereby exclusively, assigned to Honorable R. L. WILLIAMS. And, because the offices and records of the United States marshal and the United States district attorney are at Muskogee and it has been the practice to hold the sessions of the grand jury for the entire district at Muskogee, the judicial business for the entire district of convening and presiding over the grand jury and of directing its course, of receiving informations, indictments and pleas of guilty, and pronouncing sentences on pleas of guilty, and of arraigning defendants, taking their pleas and allowing bail before hearing or trial, is assigned to Honorable R. L. WILLIAMS. But the argument of law questions and the trial of criminal cases on motions, demurrers and pleas shall be had in the division in which the offense is charged to have been committed and before the judge to whom the judicial work of that division is generally assigned.

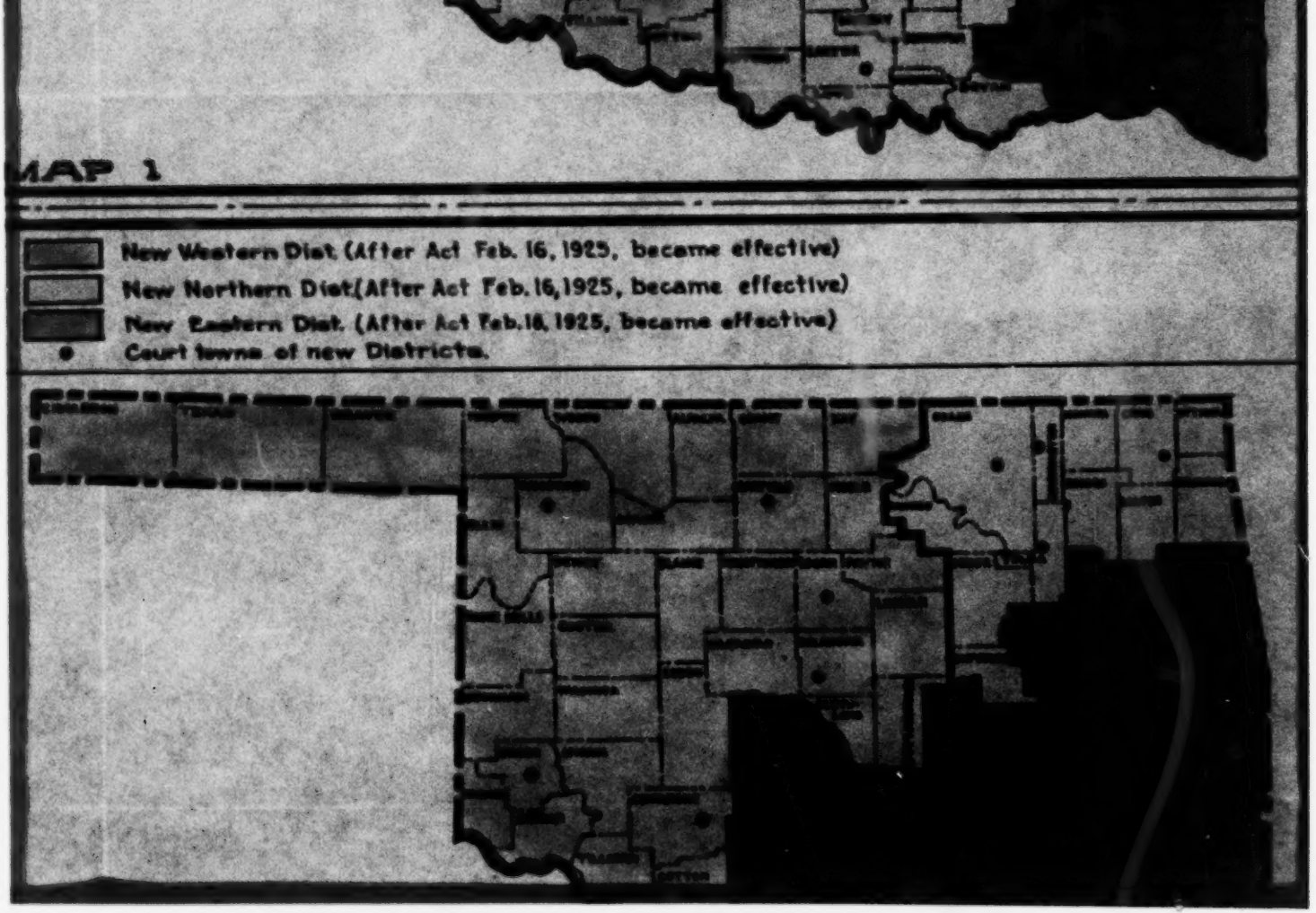
It is further ordered, that, except as to the portion of the judicial business in the Second Division relating to the grand jury, the filing of informations, the arraigning of defendants, the taking of pleas of guilty, pronouncing sentences thereon, etc., assigned to Honorable R. L. WILLIAMS in the preceding paragraph, all the judicial business of this court and of the judges thereof as such, now pending, except as to questions or issues which have been submitted to one of the judges for decisions, and all the judicial business that shall raise or come from the territory in the Second Division on and after the date of this order is hereby exclusively assigned to Honorable F. E. KENNAMER.

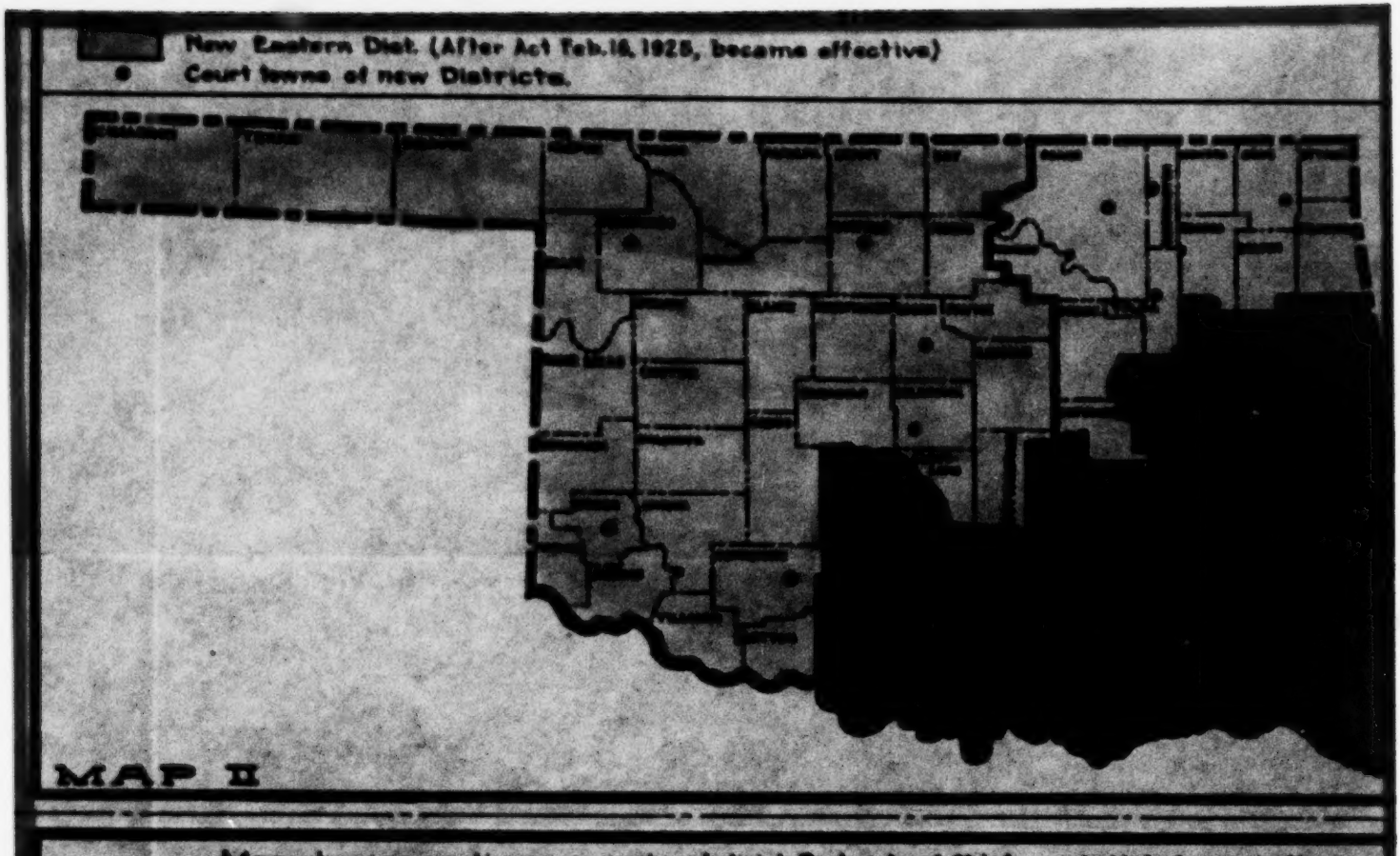
It is further ordered that, unless and until otherwise ordered by the judge to whom the judicial work of the division in which any county is situated, the cases and issues arising in or coming from such county shall be and hereby are assigned for hearing and trial to the court town to which such county is heretofore in this order declared tributary.

WALTER H. SANBORN,
Senior United States Circuit Judge, Eighth Judicial Circuit.

July 23, 1924.


Old Western District (Prior to time Act of Feb. 16, 1925, became effective)
Second Division old Eastern Dist. (Prior to time Act Feb. 16, 1925, became effective)
First Division old Eastern Dist. (Prior to time Act Feb. 16, 1925, became effective)
Court towns of old Districts.


MAP 1
New Western Dist. (After Act Feb. 16, 1925, became effective)
New Northern Dist.(After Act Feb. 16, 1925, became effective)
New Eastern Dist. (After Act Feb. 16, 1925, became effective)
Court towns of new Districts.


New Eastern Dist. (After Act Feb. 18, 1925, became effective)
Court towns of new Districts.
MAP II

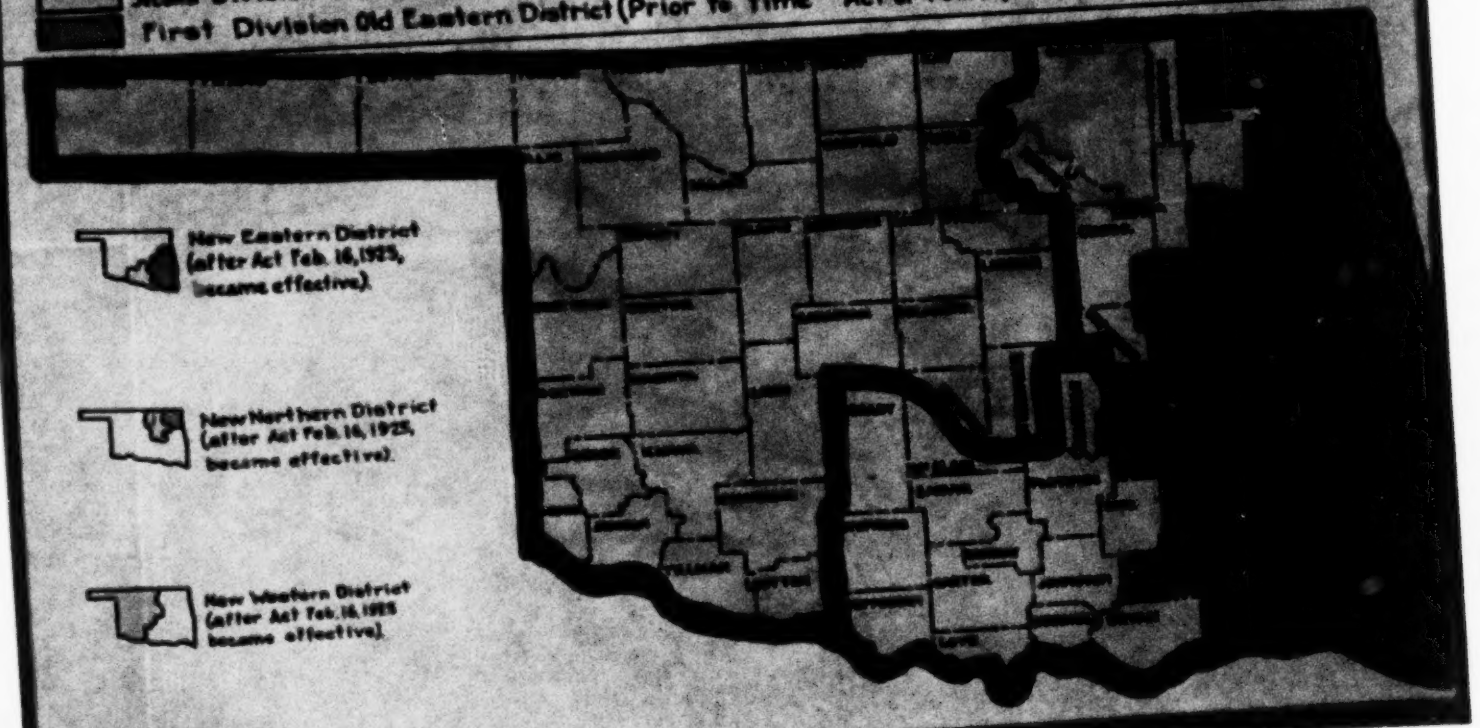
MAP II

Map showing counties comprised in Judicial Districts of Oklahoma both before and after the Act of Feb. 16, 1925, became effective, the New Districts being Superimposed on the old ones.

Old Western District (Prior to time Act of Feb. 16, 1925, became effective)

Second Division Old Eastern District (Prior to time Act of Feb. 16, 1925, became effective)

First Division Old Eastern District (Prior to time Act of Feb. 16, 1925, became effective



New Eastern District (after Act Feb. 16, 1925, became effective).

New Northern District (after Act Feb. 16, 1925, became effective).

New Western District (after Act Feb. 16, 1925 became effective).

MAP III